

#### From the INTERNATIONAL SEARCHING AUTHORITY

То:	
ING BARZANO' & ZANARDO	MILANO S.P.A
Attn. De Gregori, Anto	onella
Via Borgonuovo 10	
20121 Milan	
ITALY	ING THE Milano
	- 7 LUG 2004

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

- 7	LUG.	2004

Date of mailing (day/month/year)

05/07/2004 Applicant's or agent's file reference FOR FURTHER ACTION See paragraphs 1 and 4 below NdP 87079 International application No. International filing date (day/month/year) PCT/EP 03/12943 18/11/2003 Applicant ISAGRO S.P.A.

1. X	The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.  Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):					
	When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.					
	Where?	Directly to the	International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Fascimile No.: (41-22) 740.14.35			
	For more detailed instructions, see the notes on the accompanying sheet.					
2.	The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.					
3.	the	protest together	est against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:  with the decision thereon has been transmitted to the International Bureau together with the to forward the texts of both the protest and the decision thereon to the designated Offices.			

4. Further action(s): The applicant is reminded of the following: Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2

NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Sandrine Polenzani

Form PCT/ISA/220 (July 1998)

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

#### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

27.045

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

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Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

#### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.



The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

# The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

- [Where originally there were 48 claims and after amendment of some claims there are 51]:
   "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
- [Where originally there were 15 claims and after amendment of all claims there are 11]: "Claims 1 to 15 replaced by amended claims 1 to 11."
- [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
   "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
   "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
- 4. [Where various kinds of amendments are made]: "Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

#### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

## Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

# PCT

# INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference  NdP 87079	FOR FURTHER see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.					
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)				
PCT/EP 03/12943	18/11/2003	27/11/2002				
Applicant						
	•					
ISAGRO S.P.A.						
This International Search Report has be according to Article 18. A copy is being to	en prepared by this International Searching Aut transmitted to the International Bureau.	hority and is transmitted to the applicant				
This International Search Report consist It is also accompanied by	ts of a total of <u>12</u> sheets.  by a copy of each prior art document cited in this	s report.				
Basis of the report						
<ul> <li>With regard to the language, the language in which it was filed, u</li> </ul>	e international search was carried out on the ba nless otherwise indicated under this item.	sis of the international application in the				
the international search Authority (Rule 23.1(b))	was carried out on the basis of a translation of t	the international application furnished to this				
was carried out on the basis of t		nternational application, the international search				
filed together with the in	ternational application in computer readable form.					
furnished subsequently	to this Authority in written form.					
furnished subsequently	to this Authority in computer readble form.					
the statement that the s international application	ubsequently furnished written sequence listing on as filed has been furnished.	does not go beyond the disclosure in the				
the statement that the in furnished	nformation recorded in computer readable form	is identical to the written sequence listing has been				
2. Certain claims were fo	ound unsearchable (See Box I).					
3. X Unity of invention is la	acking (see Box II).	·				
4. With regard to the title,		•				
	submitted by the applicant.					
1	lished by this Authority to read as follows:					
		SALT OF PHOSPHOROUS ACID AND AT				
LEAST A SECOND FUNGIO		· · · · · · · · · · · · · · · · · · ·				
5. With regard to the abstract,						
	submitted by the applicant.					
the text has been estab	lished, according to Rule 38.2(b), by this Author the date of mailing of this international search re	rity as it appears in Box III. The applicant may, eport, submit comments to this Authority.				
6. The figure of the drawings to be pu	blished with the abstract is Figure No.					
as suggested by the ap	plicant.	None of the figures.				
because the applicant f	ailed to suggest a figure.					
because this figure bett	er characterizes the invention.					



Box I	Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)	
This Int	ternational Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:	
1.	Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:	
2.	Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:	
3.	Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).	
Box II	Observations where unity of invention is lacking (Continuation of item 2 of first sheet)	
This Int	sternational Searching Authority found multiple inventions in this international application, as follows:	
	see additional sheet	
1	As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.	
2.	As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.	
з. [	As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:	
	covois only those olamb let which loss were paid, specifically claims ress.	
4. X	No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:	
	1-5, 9-17 (all in part)	
Remar	rk on Protest The additional search fees were accompanied by the applicant's protest.	
	No protest accompanied the payment of additional search fees.	
1		

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-5, 9-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Cymoxanil and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

2. claims: 1-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) IR5885 and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

3. claims: 1-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) a phenylamide-type fungicide selected from IR6141, Benalaxyl, Metalaxyl, Mefenoxam, Oxadixyl, Ofurace and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

4. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Iprovalicarb or Benthiavalicarb-isopropyland, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

5. claims: 1-5, 10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) a strobilurin-type fungicide selected from Azoxystrobin, Kresoxym-methyl, Tryfloxystrobin, Pyraclostrobin, Picoxystrobin, Metominofen, Famoxadone and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

6. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Acibenzolar and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

7. claims: 1-5, 10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) a phtalimide fungicide selected from Captano and Folpet and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

8. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Fenamidone and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

9. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Cyazofamide and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

10. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Fluazinam and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

11. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Dimetomorph or Flumorph and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

12. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Flumetover and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

13. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Chlorothalonil and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

14. claims: 1-6,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) a dithiocarbamate-type fungicide selected from Thiram, Propineb, Mancozeb, Maneb, Zineb and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

15. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) a sulfamide-type fungicide selected from Dichlofluanide and Tolylfluanide and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

16. claims: 1-5, 10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Dithianon and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

17. claims: 1-5, 10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Etridiazole and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

18. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Hymexanol and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

19. claims: 1-5,10-17(all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) a (thio)carbamate fungicide selected from Protiocarb and Propamocarb and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

20. claims: 1-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) a copper ((I) or(II)) salt and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

21. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) an aniline-type fungicide selected from Mepanipyrim, Pyrymethanil and Cyprodinil and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

22. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) (R)- or (RS)-3-amino-butanoic acid and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

23. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Zoxamide and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

## 24. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Salicylic acid or its derivatives and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

## 25. claims: 1-5,10-17 (all in part)

Fungicidal compositions comprising (A) at least one salt of an alkaline or alkaline-earth metal, Mn or Zn of phosphorous acid and (B) Ethaboxam and, optionally, additional fungicides; their use for the control of phytopathogens and a method for the control of phytopathogens using them

International Application No **2** 03/12943



A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A01N59/26

//(A01N59/26,59:20,51:00,47:28,47:26,47:24,47:14,47:10,43:836,43:18 37:30,37:22,37:10,33:06)

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols) IPC 7 A01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, CHEM ABS Data

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
х	GB 2 131 296 A (RHONE POULENC AGROCHIMIE) 20 June 1984 (1984-06-20) page 1, line 19 - line 44 page 2, line 15 - line 31; example 3	1-5,9-17
X	DE 40 39 875 A (RHONE POULENC AGROCHIMIE) 20 June 1991 (1991-06-20) page 2, line 1 - line 12; claims 1,7; examples 3,6 page 3, line 60 - line 70	1-5,9-17
<b>A</b>	FR 2 252 056 A (PEPRO) 20 June 1975 (1975-06-20) page 1, line 30 - page 4, line 3 page 6, line 22 - line 30	1-5,9-17

Further documents are listed in the continuation of box C.	X Patent family members are listed in annex.
"A" document defining the general state of the art which is not considered to be of particular relevance  "E" earlier document but published on or after the international filling date  "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  "O" document referring to an oral disclosure, use, exhibition or other means  "P" document published prior to the international filing date but later than the priority date claimed	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.  "8" document member of the same patent family
Date of the actual completion of the international search	Date of mailing of the international search report
25 March 2004	0 5. 07. 2004
Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Riiswijk	
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Romano-Götsch, R

3

International Application No PCT 03/12943

C.(Continue	ation) DOCUMENTS CONSIDERED TO BE RELEVANT	03/12943
Category °	·	Relevant to claim No.
A	FR 2 771 900 A (ISHIHARA SANGYO KAISHA) 11 June 1999 (1999-06-11) page 2, line 6 - line 12 page 2, line 30 - line 35 page 3, line 13 - page 4, line 14; examples 4-7	1-5,9-17
Α	EP 0 230 209 A (CIBA GEIGY AG) 29 July 1987 (1987-07-29) page 5 - page 6 page 14 - page 15	1-5,9-17
A .	GB 2 095 114 A (RHONE POULENC AGROCHIMIE) 29 September 1982 (1982-09-29) page 1, line 34 - line 45	1-5,9-17
A	EP 0 223 719 A (RHONE POULENC AGROCHIMIE) 27 May 1987 (1987-05-27) page 2, line 6 - line 30; claim 1; examples 1-3	1-5,9-17
Α	WO 02/060259 A (SOYEZ JEAN-LOUIS) 8 August 2002 (2002-08-08) page 6, line 20 - page 7, line 4	1-5,9-17

3

ion on patent family members

International Application No
PCT 68 03/12943

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